

8 June 2022

s9(2)(a)



Thank you for your email dated 5 May 2022, requesting the following information under the Official Information Act 1982 (the Act):

- 1. Could you tell me: how many warnings have Kāinga Ora tenants been given for serious behaviour since the new provisions in the Residential Tenancies Act allowing tenants to be warned were brought in earlier this year? Could you break this down per region.*
- 2. How many complaints has it received about tenant behaviour since the change and could you break this down per region.*
- 3. Could you provide details about what the warnings and complaints were for.*
- 4. How many instances have there been of a tenant receiving three warnings and how many times has Kāinga Ora applied to the Tenancy Tribunal to end a tenancy.*
- 5. Have there been any evictions?*

Please find our response to your questions below:

- 1. How many warnings have Kāinga Ora tenants been given for serious behaviour since the new provisions in the Residential Tenancies Act allowing tenants to be warned were brought in earlier this year? Could you break this down by region?; and**
- 3. Could you provide details about what the warnings and complaints were for.**

Kāinga Ora is committed to responding effectively to disruptive behaviour and, as you are aware, took steps earlier in the year to support this. We introduced new tools to better respond to serious events of disruptive behaviour. This included tools to support relocation using provisions from the Residential Tenancies Act (RTA) and an internal review group to support our tenant facing teams to work through complex tenant circumstances.

In response to your first question, I can advise that between 1 February 2022 and 5 May 2022, Kāinga Ora issued four notices as part of our process under section 55A of the RTA, with one tenancy being issued its second notice.

Serving a notice provides Kāinga Ora the opportunity to address the behaviour, while also providing the tenant with an opportunity to reflect on the situation, and to work on changing their behaviour. This has been evidenced in relation to the Northland tenancy where two notices were issued. The Kāinga Ora tenant has realised the severity of the situation and expressed a desire to stay in their home, and has now engaged with support services to help facilitate this and enable a change in behaviour.

Regarding your third question, we are declining to provide details about the warnings under section 9(2) (a) of the Act in order to protect the privacy of natural persons, as the need to protect the privacy of these individuals outweighs any public interest in this information. However, please find below an

overview of each of the situations where disruptive behaviour warning notices have been issued under section 55A of the RTA.

Region	Reason for notice issued
Northland	Household 1 Two notices were issued on one tenancy regarding threatening and disruptive behaviour and violence. Kāinga Ora is working with the customer, whānau, support agencies and police in relation to this tenancy.
Auckland	Household 2 One notice was issued following a party at a Kāinga Ora property which involved threatening behaviour and damage to vehicles. Following the issue of the notice, our customer acknowledged the relationship with neighbours was irreparable and agreed to a move arranged by our teams.
Auckland	Household 3 One notice was issued following incidents of intimidating and threatening behaviour and violence. Kāinga Ora is working with this whānau and other agencies to resolve this.

As our guidance becomes more refined and our people more confident using the tools, we anticipate an increase in the number of notices that will be issued.

Tenant relocations – agreed and required

In addition to issuing Section 55A warning notices, Kāinga Ora is also able to utilise tools to support relocation where disruptive behaviour occurs, and the need to move is identified as a necessary next step. Kāinga Ora follows one of two pathways:

- If the tenant is willing to be relocated, Kāinga Ora is able to take steps as soon as a suitable home is identified. Since January 2022 there have been **39** households relocated for disruptive behaviour by agreement.
- Where the tenant has not been willing to work with Kāinga Ora, section 53B of the RTA can be used to end a tenancy and transfer the tenant to another home. To date, **three** notices to relocate under Section 53B have been issued. Of these, **two** tenants have successfully been relocated, and **one** remains in progress.

2. How many complaints has it received about tenant behaviour since the change and could you break this down per region.

The vast majority of the almost 200,000 people who live in Kāinga Ora homes are good neighbours and members of their communities.

Kāinga Ora takes complaints very seriously and works hard with individuals and whānau involved to come to a positive resolution. Most of the complaints we receive are for minor grievances such as car noise, frequency of visitors or lawns not being mowed. It's important to keep in mind that these types of minor issues make up the significant majority of the complaint figures included in this response.

The figures in appendix one show a complete picture of all complaints received about customer behaviour within the period, including minor grievances, duplicate entries and complaints that were later withdrawn or found to have no merit.

Please note that due to the way our reporting systems operate, Kāinga Ora can only provide complaints data for full month periods. As a result, in response to your second question please find attached (appendix one) a regional breakdown of complaints Kāinga Ora has received about tenant behaviour for the period of 1 February 2022 to 30 April 2022 (inclusive).

4. How many instances have there been of a tenant receiving three warnings and how many times has Kāinga Ora applied to the Tenancy Tribunal to end a tenancy.

To date, there have been no instances of a tenant receiving three warning notices under Section 55A of the RTA. As a result, Kāinga Ora has not applied to the Tenancy Tribunal to end a tenancy at this point.

5. Have there been any evictions?

There have currently been no evictions as a result of issuing warning notices under Section 55A of the RTA. Please note that eviction is a specific process involving the Tenancy Tribunal ending a tenancy and a court bailiff taking possession of the property. The vast majority of the time, Kāinga Ora is able to resolve matters or initiate a move for the customer without needing to resort to eviction.

Kāinga Ora would appreciate an opportunity to discuss this response with you, and provide clarification or answer any further questions you may have. Please contact Kirsten Robinson, Chief Advisor Communications, at media@kaingaora.co.nz with a phone number for her to contact you.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at www.ombudsman.parliament.nz or Freephone 0800 802 602.

Please note that Kāinga Ora proactively releases our responses to official information requests where possible. Our response to your request may be published at <https://kaingaora.govt.nz/publications/official-information-requests/> with your personal information removed.

Yours sincerely



Nick Maling
General Manager National Services

OI 22 165: Heagney, George

APPENDIX ONE: REGIONAL BREAKDOWN OF COMPLAINTS RECEIVED FOR THE PERIOD 1 FEBRUARY 2022 TO 30 APRIL 2022

Most of the complaints Kāinga Ora receives are for minor grievances such as car noise, frequency of visitors or lawns not being mowed. It's important to keep in mind that these types of minor issues make up the significant majority of complaints included in the figures below.

These figures show a complete picture of all complaints received about customer behaviour within the period, including minor grievances, duplicate entries and complaints that were later withdrawn or found to have no merit.

TERRITORIAL LOCAL AUTHORITY	NUMBER OF COMPLAINTS RECEIVED
ASHBURTON DISTRICT	6
AUCKLAND	819
BULLER DISTRICT	1
CHRISTCHURCH CITY	186
DUNEDIN CITY	22
FAR NORTH DISTRICT	16
GISBORNE DISTRICT	25
GORE DISTRICT	1
GREY DISTRICT	3
HAMILTON CITY	154
HASTINGS DISTRICT	27
HAURAKI DISTRICT	6
HOROWHENUA DISTRICT	4
INVERCARGILL CITY	5
KAIPARA DISTRICT	6
KAPITI COAST DISTRICT	10
LOWER HUTT CITY	110
MANAWATU DISTRICT	11
MARLBOROUGH DISTRICT	24
MATAMATA-PIAKO DISTRICT	7
NAPIER CITY	39
NELSON CITY	20
NEW PLYMOUTH DISTRICT	28
OPOTIKI DISTRICT	6
OTOROHANGA DISTRICT	1
PALMERSTON NORTH CITY	43
PORIRUA CITY	17
RANGITIKEI DISTRICT	1
ROTORUA DISTRICT	21
SOUTH TARANAKI DISTRICT	4
SOUTH WAIKATO DISTRICT	2
STRATFORD DISTRICT	3

TERRITORIAL LOCAL AUTHORITY	NUMBER OF COMPLAINTS RECEIVED
TASMAN DISTRICT	5
TAUPO DISTRICT	8
TAURANGA CITY	19
THAMES-COROMANDEL DISTRICT	8
TIMARU DISTRICT	10
UPPER HUTT CITY	6
WAIKATO DISTRICT	10
WAIMAKARIRI DISTRICT	3
WAIPA DISTRICT	8
WAIROA DISTRICT	1
WAITOMO DISTRICT	3
WANGANUI DISTRICT	8
WELLINGTON CITY	68
WHAKATANE DISTRICT	7
WHANGAREI DISTRICT	66
GRAND TOTAL	1,858